



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MERCHANT & GOULD LLC
PO BOX 2903
MINNEAPOLIS MN 55402-0903

COPY MAILED

APR 14 2006

OFFICE OF PETITIONS

In re Application of :
Richard Ticktin :
Application No. 10/631,025 :
Filed: July 29, 2003 :
Title: Concentrated Liquid :
Compositions and Methods of :
Providing the Same :
ON PETITION

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed March 8, 2006

The petition under 37 CFR 1.181 is **DISMISSED**.

The above-identified application became abandoned for failure to timely file a response to the non-final Office action mailed July 27, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under 37 CFR 1.136(a) were purchased. Accordingly, no reply having received, the above-identified application became abandoned on October 28, 2005. A Notice of Abandonment was mailed on February 2, 2006.

Petitioner argues that the July 27, 2005 Office action was mailed to the wrong address, due to the fact that petitioner had filed a "Request to Withdraw as Attorneys of Record" on May 26, 2005. However, as stated in MPEP 402.02(6), a request to withdraw as attorney of record is effective when approved, rather than received.

Petitioner may wish to consider reviving the abandoned application pursuant to 37 CFR 1.137(a) or 37 CFR 1.137(b). A fee for each petition is required for the filing, and not merely the grant, of each petition.

A grantable petition under 37 CFR 1.137(a) must be accompanied by: (1) the reply required to the outstanding Office action or notice, unless previously filed; (2) the petition fee set forth in 37 CFR 1.17(l) - currently \$250 for a small entity; (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d).

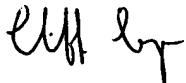
A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by (1) The reply required to the outstanding Office action or notice, unless previously filed; (2) The petition fee as set forth in 37 CFR 1.17(m) - currently \$750 for a small entity; (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) Any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to paragraph (d) of this section.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions